

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA	)	
	)	CRIMINAL ACTION NO.
v.	)	2:11cr191-MHT
	)	(WO)
JEFFERY NOLAN BENNETT	)	

ORDER

It is ORDERED that defendant Jeffery Nolan Bennett's motion for appointment of counsel (doc. no. 652) is denied.

There is no constitutional right to counsel in postconviction proceedings. See *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987) ("[T]he right to appointed counsel extends to the first appeal of right, and no further."). The Eleventh Circuit Court of Appeals has held that there is no statutory right to counsel on motions for sentence reduction under a similar statute, 18 U.S.C. § 3582(c)(2). See *United States v. Webb*, 565 F.3d 789, 794 (11th Cir. 2009). The court sees no reason for a different rule here. In addition, the court finds that Bennett has sufficiently raised the relevant factual issues and that the legal

issues are not so complex that he needs the assistance  
of counsel.

DONE, this the 14th day of September, 2020.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE